

**THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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YORKTOWN CENTRAL  
SCHOOL DISTRICT,

Plaintiff,

-against-

MONSANTO COMPANY,  
PHARMACIA CORPORATION,  
PECORA CORPORATION and  
JOHN DOES 1-20,

Defendants.

X  
Civil Action No.: 07 - 8648  
(SCR)

ECF CASE

**CERTIFICATION IN  
SUPPORT OF MOTION TO  
DISMISS**

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X

I, **ROBERT WRIGHT**, of full age, do hereby certify as follows, upon information and belief:

1. I am an attorney at law and am admitted to practice before this Court. I am a member of the law firm of White and Williams LLP, attorneys for defendants Monsanto Company and Pharmacia Corporation (collectively “Monsanto”) with regard to this matter. As a consequence, I have knowledge of the facts set forth herein.
2. This motion seeks to dismiss the First Amended Complaint. A copy of plaintiff Yorktown Central School District’s (the “District”) First Amended Complaint, dated February 14, 2008, is attached as **Exhibit 1**.
3. Monsanto filed a motion to dismiss the initial complaint on December 4, 2007. (*See* ECF Entry Nos. 9, 12, 13, 14, **Exhibit 2**.)
4. On February 14, 2008, the District both: (a) filed an opposition to the motion to dismiss and (b) filed the First Amended Complaint. (*See* ECF Entry Nos. 27, 28, **Exhibit 2**.)
5. On March 20, 2008, Monsanto filed its reply in support of the motion to dismiss. (*See* ECF Entry No. 41, **Exhibit 2**.) Those reply papers addressed the First Amended Complaint.

6. This present motion to dismiss is directed solely at the First Amended Complaint.

Monsanto hereby incorporates by reference all of the documents included in ECF Entry Nos. 9, 12, 13, 14, 16, and 41 in support of its present motion to dismiss the First Amended Complaint pursuant to Fed. R. Civ. Pro. 12(b)(6).

I certify under penalty of perjury that the foregoing is true and correct.

Date: March 21, 2008

By: s/ Robert Wright  
ROBERT WRIGHT (RW- 0971)  
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